

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

|   |   |
|---|---|
| <p><b><u>IN RE TERRORIST ATTACKS ON<br/>SEPTEMBER 11, 2001</u></b></p> <p>DiGiovanni, Louis;<br/>DiGiovanni, Cindy;<br/>Disogra, Marie;<br/>Ditoro, Doreen, as administrator of the Estate<br/>of Michael Ditoro deceased;<br/>Ditoro, Doreen, individually;<br/>Doktor, James;<br/>Dormarunno, Jean;<br/>Durante, Joseph;<br/>Edwards, Gurda;<br/>Elsasser, Jacqueline;<br/>Elsasser, Thomas J.;<br/>Engel, Melanie;<br/>Erskine-Hargrove, Carrie as administrator of<br/>the Estate of Rolando F. Erskine, deceased;<br/>Erskine-Hargrove, Carrie individually;<br/>Espinal, Anthony;<br/>Eugenio, Lucia;<br/>Everett, Joseph;<br/>Everett, Sylvia;<br/>Facey, Andre;<br/>Facey, Sophia;<br/>Falvey, Joanne;<br/>Farag, Salwa;<br/>Farmer, Melissa;<br/>Feliciano, Norberto;<br/>Feliciano, Evelyn;<br/>Ferguson, Dorrin;<br/>Ferrer, Rosa M.;<br/>Pozo, Eddie E.;<br/>Fezza, Judy;<br/>Figueroa, Carlos;<br/>Fox, Roberto;<br/>Franceschi, Luis;<br/>Francis, Barbara;<br/>Francis, Daphne;<br/>Frank, Neil A.<br/>Fuller, Ruby;<br/>Fuller, Donald;<br/>Furtado, Maria;<br/>Gallo, Dominick;<br/>Gallo, Caroline;<br/>Gamble, Ethel;<br/>Geiger, Kevin;</p> | <p><b>As relates to 03 MDL 1570 (GBD)(SN)</b></p> <p><b>Civil Docket Number:</b></p> <p><b>SHORT FORM COMPLAINT</b></p> <p><b>AND DEMAND FOR TRIAL BY JURY</b></p> <p><b>ECF CASE</b></p> |
|---|---|

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| <p>Geiger, Colleen;<br/> Giardino, Angelo;<br/> Giardino, Miriam;<br/> Gibbs, Purcell;<br/> Gionet, Joseph;<br/> Gonzalez, Elsie;<br/> Gordon, June, as administrator of the Estate<br/> of Arthur Fenty, deceased;<br/> Gordon, June individually;<br/> Graves, James;<br/> Grayson, Anita;<br/> Griffin, Linda;<br/> Grogan, Anthony;<br/> Grogan, Dennis;<br/> Grossman, Hyman;<br/> Grossman, Arline;<br/> Guidice, Denise;<br/> Guinan, Laura;<br/> Hageko, Adnan;<br/> Alhalabialidelbi, Kinaz;<br/> Hall, Thomas;<br/> Hall, Mary;<br/> Harrington, Donna, as administrator of the<br/> Estate of Alan Harrington deceased;<br/> Harrington, Donna individually<br/> Harris, Priscilla;<br/> Harrison, Joyce;<br/> Hayes, Henry;<br/> Heisler, Mort;<br/> Heisler, Carol;<br/> Held, Catherine;<br/> Henderson, Dorrance;<br/> Hendricks, Amelia;<br/> Henry, Armando R.;<br/> Henry, Glendora;<br/> Hernandez, Aurea;<br/> Hernandez, Felix Jr;<br/> Hernandez, Anna;<br/> Hertz, Judith;<br/> Hinphy, Brian;<br/> Hinphy, Catherine;<br/> Hirsch, Marcia;<br/> Hirsch, William;<br/> Howard, Lawrence;<br/> Huggins, Anthony C.;<br/> Ingram, James;<br/> Ingram, Dorothy;<br/> Inguano, Concepcion Y;<br/> Jackson, Arwilda;<br/> Jedrezyk, Michael;</p> |  |
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Jeffrey, Karen;  
Johnson, Michael;  
Johnson, Sybil;  
Joseph, Noel;  
Kaider, Matthew Jr.;  
Kelly, Thomas;  
King, Lloyd;  
Kinzelberg, Steven;  
Korzenko, Richard K.;  
Kowalski, Kathyann;  
Kwartowitz, Jan;

**PLAINTIFFS**

**V.**

**KINGDOM OF SAUDI ARABIA; SAUDI  
HIGH COMMISSION FOR RELIEF OF  
BOSNIA & HERZEGOVINA**

**DEFENDANTS**

**SHORT FORM COMPLAINT AND DEMAND FOR TRIAL BY JURY**

Plaintiff(s) file(s) this *Short Form Complaint and Demand for Trial by Jury* against Defendants named herein by and through the undersigned counsel. Plaintiff(s) incorporate(s) by reference specific allegations, as indicated below, of Plaintiff's *Consolidated Amended Complaint* as to the Kingdom of Saudi Arabia ("Kingdom" or "Saudi Arabia") and the Saudi High Commission for Relief for Bosnia & Herzegovina ("the SHC") and *Demand for Jury Trial* in *In Re: Terrorist Attacks on September 11, 2001*, 03 MDL 1570 in the United States District Court for the Southern District of New York (hereinafter "the CAC"). Plaintiff(s) file(s) this *Short Form Complaint and Demand for Jury Trial* as permitted and approved by the Court's Order of May 3, 2017, ECF No. 3543.

**VENUE**

1. Venue in this district is proper pursuant to 28 U.S.C. §§ 1391(b)(2) and 1391(f)(1), as a substantial part of the events giving rise to the claims asserted herein occurred in this district. Venue is also proper in this district pursuant to 18 U.S.C. § 2334(a).

**JURISDICTION**

1. Jurisdiction, is as asserted in the CAC, and further, jurisdiction within the *Short Form Complaint* is permitted upon and applicable to all defendants in this action:

- ☒ 28 U.S.C. § 1605(a)(5) (non-commercial tort exception)
  - ☒ 28 U.S.C. § 1605B (Justice Against Sponsored Terrorism Act)
  - ☐ Other: (set forth below the basis of any additional ground for jurisdiction and plead such in sufficient detail as per the FRCP):
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**CAUSE OF ACTION**

3. Plaintiff(s) hereby adopts(s) and incorporate(s) by reference, the CAC as if set forth fully herein.
4. Furthermore, the following claims and allegations are asserted by Plaintiff(s) and are herein adopted by reference from the CAC:
  - ☒ Aiding and Abetting and Conspiring with al Qaeda to Commit the September 11<sup>th</sup> Attacks Upon the United States in Violation of 18 U.S.C. § 2333(d) (JASTA)
  - ☒ Aiding and Abetting and Conspiring with al Qaeda to Commit the September 11<sup>th</sup> Attacks Upon the United States in Violation of 18 U.S.C. § 2333(a)
  - ☒ Committing Acts of International Terrorism in Violation of 18 U.S.C. § 2333
  - ☒ Wrongful Death, as applicable to such a claim
  - ☒ Survival

- ☒ Alien Tort Claims
- ☒ Assault and Battery
- ☒ Conspiracy
- ☒ Aiding and Abetting
- ☒ Intentional Infliction of Emotional Distress
- ☒ Liability Pursuant to Restatement (Second) of Torts § 317 and  
Restatement (Third) of Agency § 7.05: Supervising Employees and  
Agents
- ☒ Liability Pursuant to Restatement (Second) of Torts § 317 and  
Restatement (Third) of Agency § 7.05: Hiring Selecting, and Retaining  
Employees and Agents
- ☒ 18 U.S.C. § 1962(a)-(d) – CIVIL RICO
- ☒ Trespass
- ☒ Putative Damages
- ☐ Plaintiff assert(s) the following additional theories and/or Causes  
of Action against the Defendants: \_\_\_\_\_

**IDENTIFICATION OF THE PLAINTIFFS**

5. The following allegations and information contained herein, is allege as to each individual who is bringing this claim, as indicated on Appendix 1 to this *Short Form Complaint*, and/or as to each decedent who was injured and who is now deceased, whose claim is brought by the Estate represented, and as to the survivors of the Estate, herein referred to as “Plaintiffs.”

- a. The citizenship/nationality of said Plaintiff is indicated at Appendix 1 to this Short Form Complaint.
- b. Said Plaintiff is entitled to recover damages on the causes of action set forth in this Complaint.
- c. As indicated at Appendix 1, said Plaintiff was injured as a result of the terrorist attacks of September 11, 2001; is the estate representative of someone who was injured as a result of the terrorist attacks of September 11, 2001 and who is now deceased, or is a survivor of someone who was injured as a result of the terrorist attack of September 11, 2001 and who is now deceased.
- d. For those Plaintiffs with injury claims, as indicated in Appendix 1, on or after September 11, 2001, said Plaintiff was present at the Pentagon and/or the World Trade Center site and/or its surroundings and/or lower Manhattan and/or at any area wherein he/she was exposed to toxins as a result of the terrorist attacks and was exposed to toxins from the attacks, and/or was otherwise injured, and/or as otherwise alleged: \_\_\_\_\_.
- e. As a direct, proximate and foreseeable result of Defendants' action or inactions, Plaintiff suffered bodily injury and/or death, and consequently economic and other losses, including but not limited to pain suffering, emotional distress, psychological injuries, and loss of enjoyment of life, and otherwise described in the CAC, and/or otherwise may be specified in subsequent pleadings and/or discovery proceedings, and/or as otherwise alleged herein: \_\_\_\_\_.
- f. The name, relationship to the injured 9/11 victim, residency, citizenship/nationality, and the general nature of the claim for each Plaintiff is listed on the attached Appendix 1, and is incorporated herein as allegations,

with all allegations of the within *Short Form Complaint* deemed alleged as to each plaintiff.

**IDENTIFICATION OF THE DEFENDANTS**

6. The following entities are Defendants herein:

- ☒ Kingdom of Saudi Arabia
- ☐ Saudi High Commission for Relief of Bosnia & Herzegovina

Plaintiffs' constituent case, if applicable, and this *Short Form Complaint* shall be deemed subject to any motion to dismiss the CAC or Answer to the CAC filed by Saudi Arabia or the SHC. By way of filing this *Short Form Complaint*, plaintiffs shall not be deemed to have adopted any class-action allegations set forth in the CAC or waived any right to object to class certification or opt out of any certified class. This *Short Form Complaint* also does not serve as a request for exclusion from any class that the Court may certify.

**WHEREFORE**, Plaintiff(s) pray(s) for relief and judgment against Defendants as set forth in the CAC as appropriate.

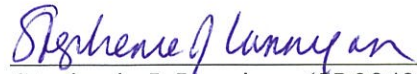


**JURY DEMAND**

Plaintiff(s) hereby demand(s) a trial by jury as to the claims in this action.

Dated: December 31, 2018

Respectfully Submitted,



Stephenie J. Lannigan (SL3943)  
Parker Waichman LLP  
6 Harbor Park Drive  
Port Washington, New York 11050  
Tel: (516) 466-6500  
Direct: (516) 723-4621  
Fax: (516) 723-4721  
Stephenie J. Lannigan  
[sbross@yourlawyer.com](mailto:sbross@yourlawyer.com)  
Counsel for Plaintiff(s)

Defendants:

**KINGDOM OF SAUDI ARABIA**

c/o Michael K. Kellogg, Esq.  
Kellogg, Hansen, Todd, Figel & Frederick,  
P.L.L.C.

*Attorneys for Kingdom of Saudi Arabia*

1615 M Street N.W. Suite 400  
Washington, DC 20036-3215  
Tel#: 202-326-7900

**SAUDI HIGH COMMISSION FOR RELIEF  
OF BOSNIA AND HERZEGOVINA**

c/o Roy T. Englert, Jr., Esq.  
Robbins, Russell, Englert, Orseck, Untereiner &  
Sauber, LLP

*Attorneys for Saudi High Commission for Relief of  
Bosnia & Herzegovina*

1801 K Street N.W. Suite 411L  
Washington, DC 20006  
Tel#: 202-775-4503

See Appendix 1 Annexed

**APPENDIX 1 TO THE SHORT FORM COMPLAINT DATED MAY 22, 2018**

Each line below is deemed an allegation, incorporating the allegations, language and references within the *Short Form Complaint* to which Appendix is appended, and shall be referenced as Allegation 1 of Appendix 1 to the *Short Form Complaint*, Allegation 2 of Appendix 1 to the *Short Form Complaint*, etc.

|    | <b>Plaintiffs Name in Alphabetical Order of Last Name of Injured 9/11 Victim</b>        | <b>Relationship to injured 9/11 victim</b> | <b>State of Residency at Filing</b> | <b>Citizenship/ Nationality on 9/11/2001</b> | <b>General Nature of the Claim Asserted</b> |
|----|---|--|-------------------------------------|--|---|
| 1  | DiGiovanni, Louis   | Self, Spouse                               | NJ                                  | US   | Personal Injury                             |
| 2  | DiGiovanni, Cindy   | Spouse                                     | NJ                                  | US   | Loss of Consortium                          |
| 3  | Disogra, Marie  | Self                                       | NY                                  | US   | Personal Injury                             |
| 4  | Ditoro, Doreen, as administrator of the Estate of Michael Ditoro, deceased              | PR/Spouse                                  | NY                                  | US   | Wrongful Death                              |
| 5  | Ditoro, Dorren  | Self                                       | NY                                  | US   | Solatium                                    |
| 6  | Doktor, James   | Self                                       | NY                                  | US   | Personal Injury                             |
| 7  | Dormarunno, Jean  | Self                                       | NJ                                  | US   | Personal Injury                             |
| 8  | Durante, Joseph   | Self                                       | NY                                  | US   | Personal Injury                             |
| 9  | Edwards, Gurda  | Self                                       | NY                                  | US   | Personal Injury                             |
| 10 | Elsasser, Jacqueline  | Self                                       | NY                                  | US   | Personal Injury                             |
| 11 | Elsasser, Thomas J.   | Spouse                                     | NY                                  | US   | Loss of Consortium                          |
| 12 | Engel, Melanie  | Self                                       | NY                                  | US   | Personal Injury                             |
| 13 | Erskine-Hargrove, Carrie as administrator of the Estate of Rolando F. Erskine, deceased | PR   | NY                                  | US   | Wrongful Death                              |

|    |                          |        |    |    |                     |
|----|--------------------------|--------|----|----|---------------------|
| 14 | Erskine-Hargrove, Carrie | Self   | NY | US | Solatium            |
| 15 | Espinal, Anthony         | Self   | NY | US | Personal Injury     |
| 16 | Eugenio, Lucia           | Self   | NY | US | Personal Injury     |
| 17 | Everett, Joseph          | Self   | NY | US | Personal Injury     |
| 18 | Everett, Sylvia          | Spouse | NY | US | Loss of Consortium  |
| 19 | Facey, Andre             | Self   | NY | US | Personal Injury     |
| 20 | Facey, Sophia            | Spouse | NY | US | Loss of Consortium  |
| 21 | Falvey, Joanne           | Self   | NY | US | Personal Injury     |
| 22 | Farag, Salwa             | Self   | NJ | US | Personal Injury     |
| 23 | Farmer, Melissa          | Self   | NY | US | Personal Injury     |
| 24 | Feliciano, Norberto      | Self,  | NY | US | Personal Injury     |
| 25 | Feliciano, Evelyn        | Spouse | NY | US | Loss of Consortium, |
| 26 | Ferguson, Dorrin         | Self   | NY | US | Personal Injury     |
| 27 | Ferrer, Rosa M.          | Self   | NY | US | Personal Injury     |
| 28 | Pozo, Eddie E.           | Spouse | NY | US | Loss Consortium     |
| 29 | Fezza, Judy              | Self   | NY | US | Personal Injury     |
| 30 | Figueroa, Carlos         | Self   | NY | US | Personal Injury     |
| 31 | Fox, Roberto             | Self   | NY | US | Personal Injury     |
| 32 | Franceschi, Luis         | Self   | NY | US | Personal Injury     |
| 33 | Francis, Barbara         | Self   | NY | US | Personal Injury     |
| 34 | Francis, Daphne          | Self   | NY | US | Personal Injury     |
| 35 | Frank, Neil A.           | Self   | NY | US | Personal Injury     |
| 36 | Fuller, Ruby             | Self   | NY | Us | Personal Injury     |
| 37 | Fuller, Donald           | Spouse | NY | US | Loss of Consortium  |
| 38 | Furtado, Maria           | Self   | NY | US | Personal Injury     |
| 39 | Gallo, Dominick          | Self   | NY | US | Personal Injury     |
| 40 | Gallo, Caroline          | Spouse | NY | US | Loss of Consortium  |
| 41 | Gamble, Ethel            | Self   | NY | US | Personal Injury     |

|    |  |        |    |    |                    |
|----|--|--------|----|----|--------------------|
| 42 | Geiger, Kevin  | Self   | NJ | US | Personal Injury    |
| 43 | Geiger, Colleen  | Spouse | NJ | US | Loss of Consortium |
| 44 | Giardino, Angelo   | Self   | NY | US | Personal Injury    |
| 45 | Giardino, Mirian   | Spouse | NY | US | Loss of Consortium |
| 46 | Gibbs, Purcell   | Self   | NY | US | Personal Injury    |
| 47 | Gionet, Joseph   | Self   | NY | US | Personal Injury    |
| 48 | Gonzalez, Elsie  | Self   | NY | US | Personal Injury    |
| 49 | Gordon-Fenty, June as Administrator of Estate of Arthur Fenty deceased         | PR     | NY | US | Wrongful Death     |
| 50 | Gordon-Fenty, June   | Self   | NY | US | Solatium           |
| 51 | Graves, James  | Self   | NY | US | Personal Injury    |
| 52 | Grayson, Anita   | Self   | NY | US | Personal Injury    |
| 53 | Griffin, Linda   | Self   | NY | US | Personal Injury    |
| 54 | Grogan, Anthony  | Self   | NY | US | Personal Injury    |
| 55 | Grogan, Dennis   | Self   | NY | US | Personal Injury    |
| 56 | Grossman, Hyman  | Self   | NY | US | Personal Injury    |
| 57 | Grossman, Arline   | Spouse | NY | US | Loss of Consortium |
| 58 | Guidice, Densie  | Self   | NY | US | Personal Injury    |
| 59 | Guinan, Laura  | Self   | NY | US | Personal Injury    |
| 60 | Hageko, Adnan  | Self   | NY | US | Personal Injury    |
| 61 | Alhalabialidelbi, Kinaz  | Spouse | NY | US | Loss of Consortium |
| 62 | Hall, Thomas   | Self   | NY | US | Personal Injury    |
| 63 | Hall, Mary   | Spouse | NY | US | Loss of Consortium |
| 64 | Harrington, Donna, as administrator of the Estate of Alan Harrington, deceased | PR     | NY | US | Wrongful Death     |

|    |                        |        |    |    |                    |
|----|------------------------|--------|----|----|--------------------|
| 65 | Harrington, Donna      | Self   | NY | US | Solatium           |
| 66 | Harris, Priscilla      | Self   | NY | US | Personal Injury    |
| 67 | Harrison, Joyce        | Self   | NY | US | Personal Injury    |
| 68 | Hayes, Henry           | Self   | NY | US | Personal Injury    |
| 69 | Heisler, Mort          | Self   | NY | US | Personal Injury    |
| 70 | Heisler, Carol         | Spouse | NY | US | Loss of Consortium |
| 71 | Held, Catherine        | Self   | NY | US | Personal Injury    |
| 72 | Henderson, Dorrance    | Self   | NY | US | Personal Injury    |
| 73 | Hendricks, Amelia      | Self   | NY | US | Personal Injury    |
| 74 | Henry, Armando R.      | Self   | NY | US | Personal Injury    |
| 75 | Henry, Glendora        | Self   | NY | US | Personal Injury    |
| 76 | Hernandez, Aurea       | Self   | NY | US | Personal Injury    |
| 77 | Hernandez, Felix Jr.   | Self   | NY | US | Personal Injury    |
| 78 | Hernandez, Anna        | Spouse | NY | IS | Loss of Consortium |
| 79 | Hertz, Judith          | Self   | NY | US | Personal Injury    |
| 80 | Hinphy, Brian          | Self   | NY | US | Personal Injury    |
| 81 | Hinphy, Catherine      | Spouse | NY | US | Loss of Consortium |
| 82 | Hirsch, Marcia         | Self   | NY | US | Personal Injury    |
| 83 | Hirsch, William        | Self   | NY | US | Personal Injury    |
| 84 | Howard, Lawrence       | Self   | NY | US | Personal Injury    |
| 85 | Huggins, Anthony C.    | Self   | NY | US | Personal Injury    |
| 86 | Ingram, James          | Self   | NJ | US | Personal Injury    |
| 87 | Ingram, Dorothy        | Spouse | NJ | US | Loss of Consortium |
| 88 | Inguano, Concepcion Y. | Self   | NY | US | Personal Injury    |
| 89 | Jackson, Arwilda       | Self   | NY | US | Personal Injury    |

|     |                      |      |    |    |                  |
|-----|----------------------|------|----|----|------------------|
| 90  | Jedrezyk, Michael    | Self | NY | US | Personsal Injury |
| 91  | Jeffrey, Karen       | Self | NY | US | Personal Injury  |
| 92  | Johnson, Michael     | Self | FL | US | Personal Injury  |
| 93  | Johnson, Sybil       | Self | NY | US | Personal Injury  |
| 94  | Joseph, Noel         | Self | NY | US | Personal Injury  |
| 95  | Kaider, Matthew Jr.  | Self | NY | US | Personal Injury  |
| 96  | Kelly, Thomas        | Self | NY | US | Personal Injury  |
| 97  | King, Lloyd          | Self | NY | US | Personal Injury  |
| 98  | Kinzelberg, Steven   | Self | NY | US | Personal Injury  |
| 99  | Korzenko, Richard K. | Self | NY | US | Personal Injury  |
| 100 | Kowalski, Kathyann   | Self | NY | US | Personal Injury  |